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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/815,504	03/31/2004	Satoru Wakao	1232-5362	8217
27123 7590 04/24/2007 MORGAN & FINNEGAN, L.L.P. 3 WORLD FINANCIAL CENTER NEW YORK, NY 10281-2101			EXAMINER AZARIAN, SEYED H	
			ART UNIT	PAPER NUMBER
			2624	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		04/24/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

## Office Action Summary

**Application No.**

10/815,504

**Applicant(s)**

WAKAO, SATORU

**Examiner**

Seyed Azarian

**Art Unit**

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 31 March 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>3/31/04</u> | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-16, are rejected under 35 U.S.C. 103(a) as being unpatentable over Friedman (U.S. patent 5,499,294) in view of Ruhl et al (U.S. patent 7,130,445).

Regarding claim 1, Friedman discloses an image verification apparatus comprising (column 4, lines 19-29, the invention is to provide a solution to the problem of authenticating digital image files for verification);

verification unit adapted to verify whether an image file has been altered (column 6, lines 31-52, digital processing system programmed with same hashing algorithm used in digital camera and a secure image hash using a decryptor 22 comprising a digital processing system with public key as a second input to decrypt the digital signature. A comparator receives the image hash from the decryptor for matching. If the single bit in the image being authenticated has been altered, the two hashes will not even closely match the image's authenticity will be indicated as not being affirmed by an authenticity output signal).

Friedman discloses (column 5, lines 54-65, viewing the captured image for authentication, and further column 6, lines 31-52, a comparator receives the image hash from the decryptor for matching. If the single bit in the image being authenticated has been altered, the two hashes will

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not even closely match the image's authenticity will be indicated as not being affirmed by an authenticity output signal, further Fig. 4, column 7, line 58 through column 8, line 25, finally all valid public keys is desirable to defeat a counterfeiter, would result in the declaration by the comparator of mismatch between the secure image hash from the decryptor). But does not explicitly state its corresponding "display form of accessory information of the image file when the image file is detected to have been altered". On the other hand Ruhl in the same field of authenticating and verifying documents teaches (column 24, lines 44-64, the display 900, printer 1000. If the hash value comparing circuit, routine or manager outputs under control of controller, a signal or indication via the input/output interface to display, that document has been altered).

Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Friedman invention according to the teaching of Ruhl because combination of Friedman and Ruhl provides notification of information that may have been altered and display that document has been altered, which can easily be implemented to a verification device.

Regarding claim 2, Friedman discloses the apparatus according to claim 1, wherein said display form change unit includes unit adapted to erase the accessory information of the image file (see claim 1, also column 6, lines 2-30).

Regarding claim 3, Friedman discloses the apparatus according to claim 1, wherein said display form change unit includes unit adapted to add a predetermined sign to the accessory information of the image file (see abstract, the digital camera for calculating a hash of the image file using predetermined algorithm).

Regarding claim 4, Friedman discloses the apparatus according to claim 1, wherein the accessory information contains information (column 7, lines 18-45, containing information).

Regarding claim 5, Friedman discloses the apparatus according to claim 1, wherein the accessory information contains information on an apparatus, which has generated the image file (column 6, lines 2-11, generating image file and storing on a medium in camera system).

Regarding claim 6, Friedman discloses the apparatus according to claim 1, wherein said verification unit includes unit adapted to detect whether the image file has been altered, by using a common key of common key cryptography (column 7, lines 6-16, public key cryptography).

Regarding claim 7, Friedman discloses the apparatus according to claim 1, wherein said verification unit includes unit adapted to detect whether the image file has been altered, by using a public key of public key cryptography (column 7, lines 18-45, verification for alteration).

Regarding claim 15, Friedman discloses a computer program causing a computer to execute an image verification method defined in claim 8 (column 6, lines 32-58, refer to computer and digital processing system).

Regarding claim 16, Friedman discloses a computer-readable recording medium recording a computer program defined in claim 15 (column 16, lines 46-67, refer to storage medium).

With regard to claims 8-14, the arguments analogous to those presented above for claims 1, 2, 3, 4, 5, 6 and 7 are respectively applicable to claims 8-14.

### Other prior art cited

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

(U.S. patent 7,114,177) to Rosenberg et al is cited for web site identity assurance.

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(U.S. patent 7,043,019) to Tehranchi et al is cited for copy protection for digital motion picture image data.

(U.S. patent 5,875,249) to Mintzer et al is cited for invisible image watermark for image verification.

**Contact Information**

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Seyed Azarian whose telephone number is (571) 272-7443. The examiner can normally be reached on Monday through Thursday from 6:00 a.m. to 7:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella, can be reached at (571) 272-7778. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application information Retrieval (PAIR) system. Status information for published application may be obtained from either Private PAIR or Public PAIR.

Status information about the PAIR system, see [http:// pair-direct.uspto.gov](http://pair-direct.uspto.gov). Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Seyed Azarian*  
Patent Examiner  
Group Art Unit 2624  
April 17, 2007

*Seyed azarian*